

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: August 26, 2021 **Time:** 11:33am – 12:44pm **Judge:** EDWARD J. DAVILA

Total Time: 1 hour, 11 mins

Case No.: 18-cr-00258 EJD **Case Name:** UNITED STATES v. Elizabeth Holmes, Ramesh Balwani

Attorneys for Plaintiff: Kelly Volkar, Jeffrey Schenk, John Bostic, Robert Leach

Attorneys for Defendant Holmes: John Cline, Lance Wade, Kevin Downey

Attorneys for Defendant Balwani: Jeffrey Coopersmith, Amy Walsh, Stephen Cazares, Aaron Brecher

Attorney for Intervenor Dow Jones Co.: Steve Zansberg

Deputy Clerk: Lili Harrell

Court Reporter: Irene Rodriguez

Interpreter: N/A

Probation Officer: N/A

PROCEEDINGS – MOTION UNSEAL HEARING

Defendants' presence waived pursuant to WAIVERS at Dkt Nos. [950] and [951].
Court hears argument regarding Dkt. Nos. [929], [930], [931], [932], [934], [938]
and GRANTS the Motion [881] of Dow Jones & Company to Intervene for Limited Purpose of
Seeking to Unseal Judicial Records in the Court's File.

Court to issue order.

Under federal law, including Rule 5(f) of the Federal Rules of Criminal Procedure,
Brady v. Maryland, 373 U.S. 83 (1963), and all applicable decisions interpreting *Brady*,
the government has a continuing obligation to produce all information or evidence known
to the government that is relevant to the guilt or punishment of a defendant, including,
but not limited to, exculpatory evidence

Accordingly, the Court Orders the government to produce to the defendant in a
timely manner all information or evidence known to the government that is either:
(1) relevant to the defendant's guilt or punishment; or (2) favorable to the defendant on
the issue of guilt or punishment.

This Order is entered under Rule 5(f) and does not relieve any party in this matter of any other discovery obligation. The consequences for violating either this Order or the government's obligations under *Brady* include, but are not limited to, the following: contempt, sanction, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges.